

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE,
RE: JUDGE DALE C. COHEN

CASE NO. SC10-348

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MOTION TO CONTINUE TRIAL

The Honorable Judge Dale C. Cohen, by and through undersigned counsel, hereby files his Motion To Continue the Trial in this matter , with the Honorable Hearing Panel, and states:

1. Trial is presently set for September 13, 2010.
2. Counsel for Judge Cohen has diligently prepared this case for the trial date, completing depositions of all witnesses by mid-August, issuing trial subpoenas, working toward agreeing to stipulated evidence between the parties and preparing pre-trial pleadings.
3. Unfortunately Judge Cohen is scheduled for surgery in late August and will not be available for trial in September 2010.

4. Judge Cohen requests this Honorable Court to continue the trial date and schedule a status conference in mid September for the purpose of setting a new trial date.

5. This Motion is made in good faith and not for purpose of unfair delay.

6. The undersigned has contacted opposing counsel who we believe has no objection to the granting of this motion.

7. We ask the Honorable Chairman to cancel the trial date of September 13 and instead set a status conference in mid September for the purpose of scheduling a new trial date.

WHEREFORE, Judge Cohen respectfully requests that the Hearing Panel of the Judicial Qualifications Commission grant this motion and cancel the trial date of September 13, 2010 and set a status conference in mid September, 2010.

Dated this 23rd day of July, 2010.

Respectfully submitted:

/s/_____
Michael A. Catalano, Esq.
Fla. Bar No.: 371221
Michael A. Catalano, P.A.
Attorney for Judge Dale Cohen
1531 N.W. 13th Court
Miami, Florida 33125
Telephone: (305) 325-9818
Fax: (305) 325-8759
mclawyer@bellsouth.net

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been furnished as listed below this 23rd day of July, 2010, to the following:

Michael L. Schneider
General Counsel
Judicial Qualifications Commission
Florida Bar No. 525049
1110 Thomasville Road
Tallahassee, FL 32303
Counsel for the Judicial Qualifications Commission, by email by agreement to:
michaelschneider@floridajqc.com

Also, per Rules 9, and 10 of the Florida Judicial Qualifications Commission, all of our pleadings are being filed as follows:

Original and one copy to the Clerk of the Florida Supreme Court by US Mail. An electronic copy will be sent in Word 2003 format to the Clerk of the Court per Supreme Court Rule: AOSC04-84. Email to: e-file@flcourts.org

Florida Supreme Court
Attn: Clerk's Office

500 South Duval Street
Tallahassee, Florida 32399-1927

By agreement (by email only) to the following two lawyers:

F. Wallace Pope, Jr.
Johnson, Pope, Et al.
Special Counsel for Florida
Judicial Qualifications Commission
P.O. BOX 1368
Clearwater, Florida 33757
Email: wallyp@jpfirm.com

And:

Laurie Waldman Ross
Attorney for the Hearing Panel
Ross and Girtten
9130 S. Dadeland Blvd. Suite 1612
Miami, FL 33156
Email: lauri@laurilaw.com

We are not sending a copy directly to Mr. Coxe, the chairman of the hearing panel as we have been informed that Ms. Ross will communicate with him.

By: /s/ _____
Michael A. Catalano, Esq.